

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CYCLE-CRAFT CO., INC.

d/b/a BOSTON HARLEY-DAVIDSON/BUELL,

Plaintiff,

v.

HARLEY-DAVIDSON MOTOR COMPANY, INC.,

and BUELL DISTRIBUTION COMPANY, LLC,

Defendants.

Civil Action
No. 04 11402 NMG

CYCLE-CRAFT’S PROPOSED VOIR DIRE QUESTIONS

Cycle-Craft Co., Inc. d/b/a Boston Harley-Davidson/Buell (“Cycle-Craft”) requests that the Court include the following questions in its voir dire of the jurors.

1. The plaintiff in this case is called Cycle-Craft Co., Inc. d/b/a Boston Harley-Davidson/Buell, a Harley-Davidson dealership located in Everett, Massachusetts. Have you, your spouse, a close friend or any family member ever worked for Cycle-Craft?

2. The defendants in this case are the Harley-Davidson Motor Company, Inc. and the Buell Distribution Company, LLC, affiliated motorcycle manufacturers with corporate headquarters in Milwaukee, Wisconsin. These two companies will be collectively referred to as Harley-Davidson throughout the trial. Have you, your spouse, a close friend or any family member ever worked for Harley-Davidson?

3. The attorneys for the plaintiff in this case are:

a. James Rehnquist; and

b. Samantha Schreiber

of the law firm of Goodwin Procter LLP. Do you, your spouse, a close friend or any family member know any of these individuals? Do you, your spouse, a close friend or any family member work for or know anyone employed by Goodwin Procter?

4. The attorneys for the defendants in this case are:

a. William Berkowitz; and

b. William Benson

of the law firm of Bingham McCutchen. Do you, your spouse, a close friend or any family member know any of these individuals? Do you, your spouse, a close friend or any family member work for or know anyone employed by Bingham McCutchen?

5. The names of the expected witnesses in this case, or persons about whom there may be testimony are:

- a. John Atwood
- b. Karen Atwood
- c. Michael Bloom
- d. Dianne Bolden
- e. Laura Breeden
- f. Ronald Buchbaum
- g. Jeffrey Christensen
- h. Al Contois
- i. Diane Cooke
- j. Kevin Dacey
- k. Michael Dellacroce
- l. Steve DeOssie
- m. Barry Eisenberg
- n. Jon Flickinger
- o. Denise Gallagher
- p. Gregory Gallagher
- q. Dan Gusoff
- r. Wayne Hathaway
- s. William Holaday
- t. Robert Issa
- u. Claud Jinks
- v. Anne Karp

- w. David Karp
- x. Jennifer Kent
- y. Michael Malicki
- z. Scott Manley
- aa. Jason Marasca
- bb. Jamie McGrath
- cc. Kenneth McPhee
- dd. Elizabeth Menninger
- ee. Robert Murphy
- ff. Harry Nichols
- gg. Gene Ostrom
- hh. Rochelle Pauletti
- ii. Sonia Paulovich
- jj. Terry Payne
- kk. Donald Rist
- ll. Steven Verduyn
- mm. Stephen Vesey
- nn. Sean Walsh

Do you, your spouse, a close friend or any family member know any of these individuals?

6. The trial of this case is expected to last two weeks. We will not have trial on Monday, May 29, 2006 due to the Memorial Day holiday. Do you have any plans or commitments that would conflict with your ability to serve as a juror during this period? Do you believe that serving for this period will be an undue hardship on you?

7. Have you learned anything about this case in any way? If so, what? Might that information affect your ability to judge the case solely on the basis of the evidence presented in court?

8. Have you ever served on a jury before?

If the answer is yes:

- a. Was it state or federal court?
- b. Was it in the Commonwealth of Massachusetts?
- c. Was it a civil or criminal case?

- d. When did the case take place?
 - e. Did the jury reach a verdict?
 - f. What was the result of the case?
 - g. Did that experience lead you to have a different feeling about the jury system than you had before? In what way did your feelings change? What about your prior experience as a juror caused you to change your feelings?
 - h. Would your prior jury service affect your ability to be a fair and impartial juror in this case?
9. Have you, your spouse, a close friend or any family member ever had a negative experience with or interaction at a motorcycle dealership?
10. Have you, your spouse, a close friend or any family member ever had a negative experience with or interaction at Cycle-Craft or any other Harley-Davidson dealership?
11. Have you, your spouse, a close friend or any family member ever purchased a Harley-Davidson motorcycle or other merchandise from a Harley-Davidson dealer? If so, has that experience caused you to form any opinions about Harley-Davidson motorcycles, Harley-Davidson dealerships, or the Harley-Davidson corporation that might affect your ability to serve as an impartial juror in this case?
12. Do you, your spouse, a close friend or family member work for a manufacturing company that distributes or sells its products or services through a distributor or dealer? If so, has that experience caused you to form any opinions about

distributors or dealers that might affect your ability to serve as an impartial juror in this case?

13. Do you, your spouse, a close friend or family member ride a motorcycle? Have you had any negative experiences with motorcycles? If so, has that experience caused you to form any opinions about motorcycles that might affect your ability to serve as an impartial juror in this case?

14. Do you own or have you ever owned a Harley-Davidson motorcycle? If so, is there anything about that experience that might affect your ability to serve as an impartial juror in this case?

15. Do you have any pre-existing opinions about motorcycles or the people who ride them? Would these opinions affect your ability to serve as an impartial juror in this case?

16. Is there anything regarding your background or personal circumstances that you believe would affect your ability to serve as an impartial juror in this case?

Respectfully submitted,

CYCLE-CRAFT CO., INC.

By its attorneys,

/s/ James C. Rehnquist
James C. Rehnquist (BBO# 552602)
Samantha L. Schreiber (BBO# 640058)
Christopher C. Nee (BBO# 651472)
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Dated: May 15, 2006

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 15, 2006.

/s/ James C. Rehnquist

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